

No. 5:13-CV-222-F

Defendant.

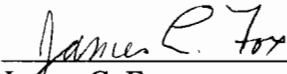
ORDER

For the foregoing reasons, it is ORDERED that:

1. The court ADOPTS the M&R in its entirety;
2. Plaintiff's complaint is DISMISSED without prejudice; and
3. All pending motions are DENIED as moot.

SO ORDERED.

This the 6<sup>th</sup> day of June, 2013.

  
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James C. Fox  
Senior United States District Judge

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complaint is a check made out to Plaintiff's daughter. [See DE-1.] There is no indication in the record that Plaintiff is an attorney.

In the Fourth Circuit, district courts "uniformly have precluded non-attorneys from litigating matters in the name of others based on claimed authority from some form of 'power-of-attorney.'" *Bank of Am., Inc. v. Campbell*, No. 1:12CV269, 2012 WL 1951820, at \*2 (M.D.N.C. May 30, 2012). "It follows from the rule prohibiting lay representation that any pleadings filed through lay representation must be disregarded as a nullity." *Id.* at \*3 (quotation omitted).

The court is unsure who actually signed Plaintiff's filings, and Plaintiff cannot assert a claim on behalf of his daughter. Each of these reasons would provide an alternative ground for dismissal without prejudice. *See id.*